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Registration No. 29,313
April 27, 2001
DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : WOLF et. Al.

Attorney Docket No.: D-42816-02

Serial No : Not Yet Assigned

Group Art Unit: Not Yet Assigned

Filing Date: Not Yet Granted

Examiner: Not Yet Assigned

For: STACK-SEALABLE, HEAT-SHRINKABLE, MULTILAYER PACKAGING FILM

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, DC 20231

Sir:

This Preliminary Amendment is filed concurrently with the filing of a Divisional Application under 35 USC 120, which claims priority from USSN 09/034,410, and in response to the 27 November 2000 Office Action therein, the period for response to which is extended through April 27, 2001, by a concurrently-filed request for a 2-month extension of time.

Applicants respectfully request reconsideration of the patentability of the claims in view of the Amendment and Remarks provided hereinbelow.

AMENDMENT

IN THE SPECIFICATION

On Page 1, line 16, kindly delete “**STACK-SEALABLE, HEAT-SHRINKABLE MULTILAYER PACKAGING FILM**” and substitute therefor **---STACK SEALING METHOD USING MULTILAYER PACKAGING FILM---**.

At page 4, line 25, after “about 27 percent.”, add **---Preferably, the polyamide makes up at least 40 percent of the weight of the third layer.---**

IN THE CLAIMS

Kindly cancel Claims 1-20, without prejudice, disclaimer, or abandonment thereof.

Kindly add the following new claims:

---27. The process according to Claim 21, wherein the polyamide makes up at least 40 weight percent of the third layer.

28. The process according to Claim 21, wherein the film has a total free shrink, at 185°F, of from about 40 to 170 percent, and the film has a thickness uniformity of greater than about 20 percent.

29. The process according to Claim 21, wherein the polyamide makes up at least 50 weight percent of the third layer.

30. The process according to Claim 21, wherein the polyester comprises from about 80 to about 95 mole percent terephthalate mer units.

31. The process according to Claim 21, wherein the polyamide has a melting point of from about 120°C up to 145°C.

32. The film according to Claim 21, wherein the polyolefin in the first layer has a melting point of from about 50°C to less than 125°C.

33. The film according to Claim 21, wherein the polyester has a melting point of from about 210°C to about 235°C.---

REMARKS

The Pending Claims and the Amendments to the Specification and Claims

With the entry of the amendments above, Claims 21-33 are pending in the application. Support for newly-presented Claims 27-33 is as follows.

Support for Claim 27, reciting at least 40 percent polyamide in the third layer of the film, can be found in Claim 3 in the parent application and at Page 4 line 25 of the specification, as amended above.

Support for Claim 28, reciting a total free shrink at 185°F of from 40 to 170 percent at 185°F can be found at Page 4 lines 26-27 of the specification. The thickness uniformity of at least 20 percent is disclosed at Page 5 line 1 of the specification.

Support for the recitation in Claim 29 of the polyamide making up at least 50 percent of the third layer can be found at Page 4 line 25, as amended above, together with Page 40 lines 13-17 of the specification.

Support for the recitation in Claim 30 of the polyester comprising from about 80 to about 95 mole percent terephthalate units is supported by Page 5 lines 8-11 of the specification.

Support for Claim 31, i.e., for the recitation of the polyamide having a melting point of from about 120°C up to 145°C, can be found in the specification at Page 26 lines 17-23.

Support for Claim 32, i.e., that the polyolefin in the first layer has a melting point of from about 50°C to less than 125°C, can be found in the specification at Page 23 lines 17-22.

Support for Claim 33, i.e., that the polyester has a melting point of from about 210°C to about 235°C, can be found at Page 28 lines 22-27.

The amendments contain no new matter.

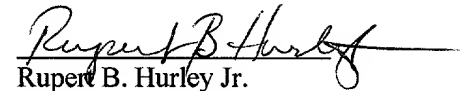
The Claims, as Amended, Are Patentable Over the Prior Art

Applicants contend that none of the prior art of record in the parent application teaches or suggests the process recited in the claims presented above, in that none of the prior art teaches or suggests the recited film being used in a stack seal process in which at least two bags are sealed while stacked, with the bags being freely separable from one another.

VII. Conclusion

Applicant respectfully requests favorable consideration of the claims as amended, with a view towards allowance. Should there be any questions or suggestions, the Examiner is invited to contact the undersigned at the telephone number provided below.

Respectfully Submitted,


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